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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,389	08/29/2000	Craig Leonard Ogg	40275/SAH/S850	9478

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EXAMINER

LAMB, TWYLER MARIE

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 12/23/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/651,389

Applicant(s)

Examiner

Twyler M. Lamb

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5-8, 11
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

2.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Regarding claim 4, the phrase "about" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2, 5-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (Davis) (US 5,825,996).

With regard to claim 1, Davis discloses a method of printing information onto print media (col 6, lines 27-35) comprising: translating a first component of said information as a function of printer margin size (col 6, lines 31-32; col 6, lines 56-63; col 8, line 64 – col 9, line 9); determining a printable bounding area as a function of said first component (col 6, lines 46-63; col 8, line 64 - col 9, line 9); scaling a second component of said information as a function of said printable bounding area (col 7, line 57 – col 8, line 5; col 9, lines 10-40); and printing said information (col 10, lines 6-20).

With regard to claim 2, Davis also discloses wherein the step of shifting said first component of said information as a function of said printer margin size comprises shifting a human readable portion (col 8, lines 42-45).

With regard to claim 5, Davis discloses a method of printing graphics onto print media (col 6, lines 27-35) comprising: determining a printer offset as a function of how the print media is fed into the printer (col 7, lines 52-67); and rendering an image of said graphic within a printable region as a function of said offset (col 7, line 57 – col 8, line 5; col 9, lines 10-40).

With regard to claim 6, Davis also discloses wherein the step of determining said printer offset comprises sending a print job having one or more patterns to said printer and determining said printer offset as a function of how said patterns print on a test envelope (col 7, line 57 – col 8, line 5; col 9, lines 10-40).

With regard to claim 7, Davis also discloses wherein the step of determining said printer offset comprises: selecting a printer; determining the offset for the printer from a

Art Unit: 2622

printer database having information on one or more printer drivers (col 7, line 57 – col 8, line 5; col 9, lines 10-40).

With regard to claims 8 and 17, Davis discloses a method of printing information onto a print media (col 6, lines 27-35) comprising: querying one or more databases (col 6, lines 11-19), containing set up data on one or more printer drivers, to determine set up data for a user's printer (col 6, lines 11-37); performing a printer configuration test to determine the set up data for the user's printer as a function of said query (col 7, line 54 – col 8, line 5); storing results of said printer configuration test in said one or more databases for use by subsequent users (col 8, lines 25-41); and printing said information onto said print media in accordance with said set up data (col 10, lines 6-20).

With regard to claims 9 and 18, Davis also discloses wherein the step of determining set up data from said database comprises determining a printer offset as a function of how the print media is fed into a printer (col 7, line 57 – col 8, line 5; col 9, lines 10-40).

With regard to claims 10 and 19, Davis also discloses wherein the step of performing a printer configuration test comprises sending a print job having one or more patterns to said printer and determining said printer offset as a function of how said one or more patterns print on a test print media (col 7, line 54 – col 8, line 5).

With regard to claim 11, Davis also discloses wherein the step of determining

Art Unit: 2622

set up information from said one or more databases comprises determining a shift code for a paper feed tray to determine how guides of the paper feed trays move to feed the print media into the printer (col 6, lines 11-19).

With regard to claims 12 and 20, Davis also discloses further comprising rotating an image of said information into landscape mode and compensating for over rotation of said image in accordance with a variable stored in said one or more databases (col 7, lines 57-67).

With regard to claims 13 and 21, Davis also discloses wherein the step of determining set up data from said one or more databases comprises determining whether said printer configuration test may be used to support printers whose set up data is not known, and if unknown printers are not allowed, notifying a user who selects a printer whose set up data is not known that the selected printer is not supported (col 5, line 65 – col 6, line 5).

With regard to claim 14, Davis also discloses wherein the step of determining set up data from said one or more databases comprises determining print media supported by a user's printer (col 6, line 6 - col 7, line 41).

With regard to claims 15 and 22, Davis also discloses wherein the step of determining set up data from said one or more databases comprises determining size of print media (col 6, lines 31-32; col 6, lines 56-63; col 8, line 64 – col 9, line 9).

With regard to claims 16 and 23, Davis also discloses further comprising querying one or more printer databases, containing set up information on one or more printers, to determine set up data for a user's printer (col 6, lines 11-19).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (Davis) (US 5,825,996) in view of Miller et al. (Miller) (6,461,063).

With regard to claim 3, Davis differs from claim 1 in that he does not specifically teach wherein the step of printing said information comprises printing a postal indicia comprising a FIM and said first and second components, wherein said first component is a human readable portion and said second component is a logo.

Miller discloses a system for printing postage labels that includes wherein the step of printing said information comprises printing a postal indicia comprising a FIM and said first and second components (col 6, line 51 – col 7, line 30), wherein said first component is a human readable portion and said second component is a logo (col 6, line 51 – col 7, line 30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Davis to include wherein the step of printing said information comprises printing a postal indicia comprising a FIM and said first and

Art Unit: 2622

second components, wherein said first component is a human readable portion and said second component is a logo as taught by Miller. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Davis by the teaching of Miller to print envelopes with postage indicia as taught by Miller in col 1, lines 8-10.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)

Application/Control Number: 09/651,389

Art Unit: 2622

Page 8

Twyler Lamb

A handwritten signature in black ink, appearing to read 'Twyler Lamb', written over the printed name.

December 15, 2003